In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R..No. 680 of 2007 (O&M)
Decided on February 09,2007

Haryana Financial Corporation -- Petitioner.

vs.

Raj Narain --- Respondent.

Present: Mr. Kamal Sehgal, Advocate,for the petitioner.

Pritam Pal,J:(Oral)

Petitioner-Haryana Financial Corporation, has brought this Civil Revision under Article 227 of the Constitution of India, for a direction to learned Civil Judge (Senior Division) Mansa, to decide Civil Misc. Application filed under Order 39 Rule 1 and 2 of Code of Civil Procedure (Annexure P2) by the respondent in a suit for declaration, mandatory and permanent injunction restraining the petitioner Corporation from proceeding with the sale of mortgaged property.

The only contention of learned counsel for the petitioner is that the trial Court has granted an interim injunction in favour of the respondent on December 19,2005 and consequently, the petitioner was restrained from confirming the sale till the disposal of the stay application moved order 39 Rule 1 and 2 of Code of Civil Procedure. Learned counsel further contends that the matter is hanging fire for the purpose of deciding the aforesaid application on merits. Learned counsel has read over the interim orders passed by the trial Court. It appears that the trial Court has taken this matter in a very casual manner while adjourning this case.

Thus, taking an over-all view of the matter, as stated above, the learned trial Court is directed to dispose of the application filed by the respondent on merits in accordance with law after hearing the learned counsel for the parties within two weeks from the date of receipt of a copy of this order.

This Civil Revision stands disposed of in the above terms.

A copy of this order be given dasti on payment of usual charges.

February 09,2007 (Pritam Pal)
RR Judge